



## TRANSMITTAL FORM

*(for all correspondence after initial filing)*

Total number of pages in this submission =

Application #	10/620,769
Confirmation #	9158
Filing Date	07/17/2003
First Inventor	FOSTER
Art Unit	2182
Examiner	T. Q. Nguyen
Docket #	P07693US01/RFH

### ENCLOSURES (check all that apply)

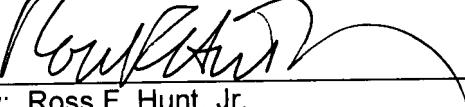
<input type="checkbox"/> Fees calculated below	<input type="checkbox"/> Response to Missing Parts/Incomplete Appl.
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> including Attachments	<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> After Final Amendment/Reply	<input type="checkbox"/> Drawing(s)
<input type="checkbox"/> including Attachment(s)	<input checked="" type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Extension of Time Petition	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

### FEES CALCULATION: For claims if required and/or other fees as shown below:

	NOW	Previously Paid For	Present Extra	Rate	\$
<input type="checkbox"/> TOTAL CLAIMS	13	50	0	X \$ 50 =	
<input type="checkbox"/> INDEPENDENT CLAIMS	1	3	0	X \$ 200 =	
TOTAL OF ABOVE CLAIMS FEES =					0
SUBTOTAL =					65
TOTAL OF ALL FEES =					65

- A CREDIT CARD PAYMENT FORM (PTO-2038) in the amount of \$65 is enclosed.
- The Commissioner is authorized to charge any fee, additional fee or extension fee due in connection herewith to Deposit Account No. 12-0555:
  - (1) if no payment or an insufficient payment is enclosed and a fee is due in connection herewith; or
  - (2) if no petition for extension of time is enclosed but an EOT is required - and in this event, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely.

Date: August 9, 2007

  
 By: Ross F. Hunt, Jr.  
 Registration No.: 24,082

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**Terminal Disclaimer  
To Obviate A  
Provisional Double Patenting  
Rejection Over A Pending  
"Reference" Application**

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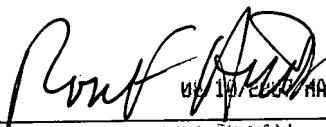
The owner, Fiberbyte Pty Ltd, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application No. 11/271,799, filed on November 14, 2005, as such term is defined in 35 USC 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 and 173 of any patent granted on the **reference** application, "as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on said pending **reference** application", in the event that any such granted patent on the pending reference application: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Terminal disclaimer fee under 37 CFR 1.20(d) is included by CREDIT CARD (PTO-2038).

The undersigned is an attorney of record.

Date: August 9, 2007

  
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 By: Ross F. Hunt, CJP 08/14  
 Registration No.: 24082      65.00 OP

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